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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,149	03/24/2004	Ming Gao Yao	12553/109	5283
7590 KENYON & KENYON Suite 600 333 N. San Carlos Street San Jose, CA 95110-2711		03/17/2008	EXAMINER CASTRO, ANGEL A	
			ART UNIT 2627	PAPER NUMBER
			MAIL DATE 03/17/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/808,149

Applicant(s)

YAO ET AL.

Examiner

Angel A. Castro

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 5-7, 12-14 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-11 and 15-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/22/08 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear from claim 8 what is the meaning of the limitation “wherein the slider fixture is at least one of non-uniform height and non-continuous length” since elected species 1, figure 3 show not such limitations.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3-4, 8, 10-11, 15, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi et al.

Regarding claims 1 and 15, Yamaguchi et al discloses a suspension assembly (figures 1-5), comprising a suspension 3 to hold a slider above a data storage medium; and a slider fixture 56 formed on the suspension to couple with portions of at least two surfaces of the slider other than a surface facing the data storage medium and other than a surface having a set of connecting pads (see figures 1, 3 and 5); and an adhesive substance is applied to the portions between the slider and the slider fixture to couple the slider to the slider fixture (column 7, lines 28-30).

Regarding claim 8, as far as it is understood, Yamaguchi et al discloses a magnetic disk drive, comprising a data storage medium 101 to store data; a slider 1 which has a read/write head 2; a suspension 3 to hold the slider above the data storage medium; a slider fixture 56 formed on suspension to couple with portions of at least two surfaces of the slider other than a surface facing the data storage medium and other than a surface having a set of connecting pads, wherein the slider fixture is at least one of non-uniform height and non-continuous length; an adhesive substance is applied to the portions between the slider and the slider fixture to couple the slider to the slider fixture; and a controller to control movement of the suspension and operation of the read/write head (see figures 1, 3, 5 and column 7, lines 28-30).

Regarding claims 3-4, 10-11 and 17, Yamaguchi et al discloses that the slider fixture has a first side forming plate 56 formed to cover a first side surface of the slider and a second side forming plate 56 formed to cover a second side surface of the slider or that the slider fixture has a first side forming plate 56 formed to partially cover a first side surface of the slider and a

second side forming plate 56 formed to partially cover a second side surface of the slider (see figure 5 or 26).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi et al in view of Coon (United States Patent Application Publication No. 2001/0013993).

Regarding claims 2, 9 and 16, Yamaguchi et al discloses the suspension described above. Yamaguchi et al does not specifically disclose that the adhesive substance is applied as a partial dot on the portion between the slider and the slider fixture. Coon discloses a method of bonding a slider by applying a dot of adhesive (paragraph 0007). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the suspension of Yamaguchi et al with the adhesive dot as taught by Coon.

The rationale is as follows: one of ordinary skill in the art would have been motivated to provide the suspension of Yamaguchi et al with the adhesive dot as taught by Coon as doing this would avoid a bridge and failure between the fixture and the slider.

Response to Arguments

8. Applicant's arguments filed 1/22/08 have been fully considered but they are not persuasive.

Applicant asserts in page 8:

“Applicants submit the cited references fail to teach or suggest at least “[a] suspension assembly, comprising ... a slider fixture formed on the suspension to couple with portions of at least two surfaces of the slider other than a surface facing the data storage medium and other than a surface having a set of connecting pads” (e.g., as described in claim 1).

The Office Action asserts Yamaguchi discloses the relevant limitations, citing Figures 3 and 5 generally. See Office Action dated 4/24/2007, paragraph 6. Applicants disagree.

Figure 3 describes, among other things, a slider embodiment 1 comprising finger portions 52, central tongue portion 53, load projection 54 and stepped portion 57. It does not describe at least a slider fixture formed on the suspension to couple with portions of at least two surfaces of the slider other than a surface facing the data storage medium and other than a surface having a set of connecting pads.

Figure 5 describes another view of a slider embodiment wherein the finger portion 52 is connected to step member 55 and coupling member 56. None of these elements describe at least the relevant limitations discussed above at all. Applicants submit the Yamaguchi reference, including cited Figures 3 and 5, fails to describe at least these relevant limitations.”

The Examiner draw attention to figures 1 and 5, where the coupling member 56 is coupled to the slider on at least 2 surfaces other than a surface facing the data storage medium and other than a surface having a set of connecting pads.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel A. Castro whose telephone number is 571-272-7584. The examiner can normally be reached on Monday through Thursday, 8 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angel A Castro/
Primary Examiner, Art Unit 2627